

Effective 5/10/2016

77-41-105 Registration of offenders -- Offender responsibilities.

- (1) An offender convicted by any other jurisdiction is required to register under Subsection (3) and Subsection 77-41-102(9) or (17). The offender shall register with the department within 10 days of entering the state, regardless of the offender's length of stay.
- (2)
 - (a) An offender required to register under Subsection 77-41-102(9) or (17) who is under supervision by the department shall register in person with Division of Adult Probation and Parole.
 - (b) An offender required to register under Subsection 77-41-102(9) or (17) who is no longer under supervision by the department shall register in person with the police department or sheriff's office that has jurisdiction over the area where the offender resides.
- (3)
 - (a) Except as provided in Subsections (3)(b), (c), and (4), and Section 77-41-106, an offender shall, for the duration of the sentence and for 10 years after termination of sentence or custody of the division, register every year during the month of the offender's date of birth, during the month that is the sixth month after the offender's birth month, and also within three business days of every change of the offender's primary residence, any secondary residences, place of employment, vehicle information, or educational information required to be submitted under Subsection (8).
 - (b) Except as provided in Subsections (4) and (5), and Section 77-41-106, an offender who is convicted in another jurisdiction of an offense listed in Subsection 77-41-102(9)(a) or (17)(a), a substantially similar offense, or any other offense that requires registration in the jurisdiction of conviction, shall:
 - (i) register for the time period, and in the frequency, required by the jurisdiction where the offender was convicted if that jurisdiction's registration period or registration frequency requirement for the offense that the offender was convicted of is greater than the 10 years from completion of the sentence registration period that is required under Subsection (3)(a), or is more frequent than every six months; or
 - (ii) register in accordance with the requirements of Subsection (3)(a), if the jurisdiction's registration period or frequency requirement for the offense that the offender was convicted of is less than the registration period required under Subsection (3)(a), or is less frequent than every six months.
 - (c)
 - (i) An offender convicted as an adult of any of the offenses listed in Section 77-41-106 shall, for the offender's lifetime, register every year during the month of the offender's birth, during the month that is the sixth month after the offender's birth month, and also within three business days of every change of the offender's primary residence, any secondary residences, place of employment, vehicle information, or educational information required to be submitted under Subsection (8).
 - (ii) This registration requirement is not subject to exemptions and may not be terminated or altered during the offender's lifetime, unless a petition is granted under Section 77-41-112.
 - (d) For the purpose of establishing venue for a violation of this Subsection (3), the violation is considered to be committed:
 - (i) at the most recent registered primary residence of the offender or at the location of the offender, if the actual location of the offender at the time of the violation is not known; or
 - (ii) at the location of the offender at the time the offender is apprehended.

- (4) Notwithstanding Subsection (3) and Section 77-41-106, an offender who is confined in a secure facility or in a state mental hospital is not required to register during the period of confinement.
- (5) In the case of an offender adjudicated in another jurisdiction as a juvenile and required to register under this chapter, the offender shall register in the time period and in the frequency consistent with the requirements of this Subsection (5). However, if the jurisdiction of the offender's adjudication does not publish the offender's information on a public website, the department shall maintain, but not publish the offender's information on the Sex Offender and Kidnap Offender Registration website.
- (6) An offender who is required to register under Subsection (3) shall surrender the offender's license, certificate, or identification card as required under Subsection 53-3-216(3) or 53-3-807(4) and may apply for a license certificate or identification card as provided under Section 53-3-205 or 53-3-804.
- (7) A sex offender who violates Section 77-27-21.8 regarding being in the presence of a child while required to register under this chapter shall register for an additional five years subsequent to the registration period otherwise required under this chapter.
- (8) An offender shall provide the department or the registering entity with the following information:
 - (a) all names and aliases by which the offender is or has been known;
 - (b) the addresses of the offender's primary and secondary residences;
 - (c) a physical description, including the offender's date of birth, height, weight, eye and hair color;
 - (d) the make, model, color, year, plate number, and vehicle identification number of any vehicle or vehicles the offender owns or regularly drives;
 - (e) a current photograph of the offender;
 - (f) a set of fingerprints, if one has not already been provided;
 - (g) a DNA specimen, taken in accordance with Section 53-10-404, if one has not already been provided;
 - (h) telephone numbers and any other designations used by the offender for routing or self-identification in telephonic communications from fixed locations or cellular telephones;
 - (i) Internet identifiers and the addresses the offender uses for routing or self-identification in Internet communications or postings;
 - (j) the name and Internet address of all websites on which the offender is registered using an online identifier, including all online identifiers used to access those websites;
 - (k) a copy of the offender's passport, if a passport has been issued to the offender;
 - (l) if the offender is an alien, all documents establishing the offender's immigration status;
 - (m) all professional licenses that authorize the offender to engage in an occupation or carry out a trade or business, including any identifiers, such as numbers;
 - (n) each educational institution in Utah at which the offender is employed, carries on a vocation, or is a student, and any change of enrollment or employment status of the offender at any educational institution;
 - (o) the name, the telephone number, and the address of any place where the offender is employed or will be employed;
 - (p) the name, the telephone number, and the address of any place where the offender works as a volunteer or will work as a volunteer; and
 - (q) the offender's social security number.
- (9) Notwithstanding Section 42-1-1, an offender:
 - (a) may not change the offender's name:
 - (i) while under the jurisdiction of the department; and
 - (ii) until the registration requirements of this statute have expired; and

- (b) may not change the offender's name at any time, if registration is for life under Subsection 77-41-105(3)(c).
- (10) Notwithstanding Subsections (8)(i) and (j) and 77-41-103(1)(c), an offender is not required to provide the department with:
 - (a) the offender's online identifier and password used exclusively for the offender's employment on equipment provided by an employer and used to access the employer's private network; or
 - (b) online identifiers for the offender's financial accounts, including any bank, retirement, or investment accounts.

Amended by Chapter 185, 2016 General Session